

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,
Plaintiff,

-vs-

MARCO ANTONIO GUERRA,

Defendant.

NO. CR-11-6073-WFN-1

ORDER ON MOTION TO
DISMISS COUNT FOUR

Before the Court is the Government's Motion to Dismiss Count Four (ECF No. 137). Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, the Government moves to dismiss count four with prejudice. The Court makes no judgment as to the merit or wisdom of the dismissal. Accordingly,

IT IS ORDERED that:

1. The Government's Motion to Dismiss Count Four, filed January 31, 2013, **ECF No. 137**, is **GRANTED**.

2. Count four against the Defendant is **DISMISSED WITH PREJUDICE**.

The District Court Executive is directed to file this Order and provide copies to counsel.

DATED this 4th day of February, 2013.

s/ Wm. Fremming Nielsen

WM. FREMMING NIELSEN
SENIOR UNITED STATES DISTRICT JUDGE

02-04-13

ORDER ON MOTION TO DISMISS